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By: **Delegates Conway, Bartlett, Bohanan, Bozman, Cadden, G. Clagett,  
Donoghue, Glassman, Heller, James, Krysiak, Malone, Moe, Owings,  
Parrott, Rudolph, and Stull**  
 Introduced and read first time: January 22, 2003  
 Assigned to: Environmental Matters

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Committee Report: Favorable with amendments  
 House action: Adopted  
 Read second time: February 19, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Vehicle Laws - Firefighters and Other Emergency Services Personnel -**  
 3                                   **Exemption from Driver License Requirements**

4 FOR the purpose of exempting a member or employee of a fire department, rescue  
 5 squad, emergency medical services unit, or volunteer fire company from certain  
 6 driver licensing requirements if the member or employee is driving an  
 7 emergency vehicle under certain circumstances; requiring the Motor Vehicle  
 8 Administration, in consultation with certain persons, to adopt regulations that  
 9 establish certain training and testing requirements; making a stylistic change;  
 10 and generally relating to an exemption for certain members or employees of fire  
 11 departments, rescue squads, emergency medical services units, or volunteer fire  
 12 companies from certain driver licensing requirements.

13 BY repealing and reenacting, with amendments,  
 14 Article - Transportation  
 15 Section ~~16-102(a)~~ 16-102  
 16 Annotated Code of Maryland  
 17 (2002 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 19 MARYLAND, That the Laws of Maryland read as follows:

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**Article - Transportation**

2 16-102.

3 (a) The licensing requirements of this title do not apply to:

4 (1) An officer or employee of the United States while driving on official  
5 business a motor vehicle other than a commercial motor vehicle owned or operated by  
6 the United States;7 (2) Except for members elected from this State, a member of the United  
8 States Congress who resides in this State during his term of office in the Congress;9 (3) An individual while driving any road machine, farm tractor, or farm  
10 equipment temporarily driven on a highway in this State, or dock equipment at  
11 Dundalk or Locust Point marine terminals which does not require registration under  
12 the provisions of this article;13 (4) An individual who, while driving a mobile crane on a highway to or  
14 from a construction site in this State, has with him a valid Class A, B, C, or D license  
15 issued to him under § 16-104 of this [title] SUBTITLE or a Class A or B commercial  
16 driver's license issued to him under this title;17 (5) A nonresident student enrolled in an accredited school, college, or  
18 university of this State or of a bordering state or serving a medical internship in this  
19 State, if:20 (i) The state of which the student is a resident extends the same  
21 privileges to the residents of this State;22 (ii) The student has with him a license to drive issued to him by the  
23 state of which he is a resident; and24 (iii) The license authorizes the student to drive in the state of which  
25 he is a resident vehicles of the class he is driving in this State;

26 (6) A new resident of this State during the first 60 days of residency, if:

27 (i) The individual has a valid license issued by the state of which  
28 the individual formerly was a resident;29 (ii) The license authorizes the individual to drive in the state of  
30 former residence vehicles of the class the individual is driving in this State; and31 (iii) The individual is at least the same age as that required for a  
32 resident to drive a vehicle of the same class the individual is driving in this State;33 (7) A member of the armed forces of the United States or of the United  
34 States Public Health Service who is serving on active duty and any dependent of the  
35 member, if:

1 (i) The driver has with him a license to drive issued to him by his  
2 state of domicile; and

3 (ii) The license authorizes the driver to drive in his state of domicile  
4 vehicles of the class he is driving in this State;

5 (8) For not more than 30 days after he returns to the United States, a  
6 member of the armed forces of the United States who is returning from active duty  
7 outside the United States and any dependent of the member who is returning from  
8 residence with the member outside the United States; if:

9 (i) The driver has with him a license to drive issued to him by the  
10 armed forces of the United States in a place outside the United States; and

11 (ii) The license authorizes the driver to drive vehicles of the class he  
12 is driving in this State;

13 (9) A nonresident of this State if:

14 (i) He has with him a license to drive issued to him by the state of  
15 his residence;

16 (ii) His license authorizes him to drive in that state vehicles of the  
17 class he is driving in this State; and

18 (iii) He is at least the same age as that required of a resident for the  
19 vehicle he is driving in this State;

20 (10) A nonresident of the United States if:

21 (i) The individual has a valid license to drive issued to the  
22 individual by the country of residence;

23 (ii) The individual's license authorizes him to drive in that country  
24 vehicles of the class he is driving in this State;

25 (iii) The individual is at least the same age as that required of a  
26 resident for the vehicle he is driving in this State; and

27 (iv) Except as provided for in Subtitle 8 of this title, the vehicle is  
28 not a commercial motor vehicle; [and]

29 (11) A member of the Maryland National Guard if:

30 (i) The driver is driving a military vehicle in the performance of  
31 duty; and

32 (ii) The driver has with him an operator's identification card issued  
33 by the Maryland National Guard for the type of military vehicle being driven[.]; AND

1 (12) A MEMBER OR EMPLOYEE OF A FIRE DEPARTMENT, RESCUE SQUAD,  
2 EMERGENCY MEDICAL SERVICES UNIT, OR VOLUNTEER FIRE COMPANY WHILE  
3 DRIVING AN EMERGENCY VEHICLE IF THE DRIVER:

4 (I) HOLDS A VALID CLASS C LICENSE ISSUED TO THE DRIVER  
5 UNDER ~~§ 16-104~~ § 16-104.1 OF THIS SUBTITLE;

6 (II) HAS BEEN AUTHORIZED BY THE AUTHORITY JURISDICTION TO  
7 OPERATE THE TYPE OF EMERGENCY VEHICLE BEING DRIVEN; AND

8 (III) IS DRIVING THE EMERGENCY VEHICLE IN THE PERFORMANCE  
9 OF THE OFFICIAL DUTIES OF THE DRIVER IN OR OUT OF THIS STATE.

10 (b) (1) THE ADMINISTRATION SHALL ADOPT REGULATIONS THAT  
11 ESTABLISH MANDATORY TRAINING AND TESTING REQUIREMENTS AN AUTHORITY  
12 JURISDICTION MUST IMPLEMENT BEFORE THE AUTHORITY JURISDICTION MAY  
13 AUTHORIZE AN INDIVIDUAL TO OPERATE AN EMERGENCY VEHICLE IN ACCORDANCE  
14 WITH SUBSECTION (A)(12) OF THIS SECTION.

15 (2) THE ADMINISTRATION SHALL ADOPT THE REGULATIONS REQUIRED  
16 UNDER THIS SUBSECTION IN CONSULTATION WITH:

17 (I) THE MARYLAND FIREMEN'S ASSOCIATION;

18 (II) THE MARYLAND FIRE CHIEF'S ASSOCIATION;

19 (III) THE PROFESSIONAL FIREFIGHTERS ASSOCIATION OF  
20 MARYLAND;

21 (IV) THE METROPOLITAN FIRE CHIEF'S COUNCIL; AND

22 (V) THE MARYLAND FIRE AND RESCUE INSTITUTE OF THE  
23 UNIVERSITY OF MARYLAND.

24 (C) An individual who is subject to the provisions of this section and who fails  
25 to comply with the provisions of this section is guilty of a misdemeanor.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
27 effect October 1, 2003.